

**REVISIONS**

<b><u>REVISION</u></b>	<b><u>DATE</u></b>	<b><u>DESCRIPTION</u></b>
Rev. 1	February 21, 2006	Made job responsibilities for Crewman and Crew Leader Class B Commercial Driver License (CDL) maybe required.

# **INSTRUCTIONS**

## **RIGHT OF WAY CLEARING AND MAINTENANCE PACKAGE**

**Scope:** *This document identifies the total wage package (wages plus fringe benefit contributions) to be paid to the employees of contractors performing right of way clearing for TVA.*

### **I. GENERAL PROVISIONS THAT APPLY TO ALL CONTRACTORS AND THEIR SUBCONTRACTORS**

- **Weekly Statement of Payroll Compliance**

**All** contractors and their subcontractors are required to complete and submit a Weekly Statement of Payroll Compliance (form TVA 916). This form must be submitted weekly, without exception, in compliance with Part 3 (29 CFR Subtitle A). Each contractor and subcontractor is reminded, as required by the above CFR, to preserve this weekly statement, along with payroll records for a period of three years from the date of completion of this contract. The contractor and subcontractor are reminded that they must be prepared to submit these payroll records upon request of representatives of TVA.

## Weekly Statement of Payroll Compliance

Contractor's Name \_\_\_\_\_ Contract No. \_\_\_\_\_

Subcontractor's Name \_\_\_\_\_ Release No. \_\_\_\_\_

Payroll week commencing on the \_\_\_\_ day of (mm/yyyy) and ending on the \_\_\_\_ day of (mm/yyyy).

### Instructions to Contractor/Subcontractor

1. The Weekly Statement of Compliance must be filled out by the contractor or subcontractor named above or by his/her authorized representative.
2. The original Weekly Statement of Compliance must be submitted within seven days after the regular payment date of the payroll period identified above to TVA's Contract Officer.

I do hereby state:

(1) That I pay or supervise the payment of the persons employed by the above-named contractor or subcontractor for the payroll period identified above and that all persons employed on said project have been paid the full weekly wages earned, that no rebates have been or will be made directly or indirectly to or on behalf of the above-named contractor or subcontractor from the full weekly wages earned by any person, and that no deductions have been made either directly or indirectly from the full wages earned by any person, other than permissible deductions as defined in Regulations, Part 3 (29 CFR Subtitle A), issued by the Secretary of Labor under the Copeland Act, as amended (48 Stat. 948; 63 Stat. 108; 72 Stat. 967; 76 Stat. 357; 40 U.S.C. 276c). I understand that TVA may require payrolls to be submitted at any time, and agree to provide them with this statement, if requested by TVA. If not requested at the time of this statement, I agree to provide such payrolls within three business days after TVA requests them.

(2) That any payrolls otherwise under this contract required to be maintained for the above period have been prepared and are correct and complete and provide detailed payroll information on each employee as required by the Copeland Act regulations (29 C.F.R. §§ 3.3 - 3.4 (1994); that the wage rates for laborers or mechanics contained therein are not less than the applicable wage rates contained in any wage determination incorporated into the contract; that the classifications set forth therein for each laborer or mechanic conform with the work the employee performed and with those classifications listed in any applicable classification determination incorporated into the contract.

(3) That:

(a) WHERE FRINGE BENEFITS ARE PAID TO APPROVED PLANS, FUNDS, OR PROGRAMS

In addition to the basic hourly wage rates paid to each laborer or mechanic listed in the above-referenced payroll, payments of fringe benefits as listed in the contract have been or will be made to appropriate programs for the benefit of such employees, except as noted in Section 3(b) below. Where such plans, funds, or programs do not exist, an amount equal to the fringe benefit contribution will be paid in wages to each laborer or mechanic listed in the above-referenced payroll.

(b) EXCEPTIONS

EXCEPTION (CRAFT)	EXPLANATION

WILLFUL FALSIFICATION OF ANY OF THE ABOVE STATEMENTS OR OF PAYROLL DOCUMENTS MAY SUBJECT THE CONTRACTOR OR SUBCONTRACTOR TO CIVIL OR CRIMINAL PROSECUTION. SEE SECTION 1001 OF TITLE 18 AND SECTION 3729 OF TITLE 31 OF THE UNITED STATES CODE.

SIGNED \_\_\_\_\_ TITLE \_\_\_\_\_ DATE \_\_\_\_\_  
Contractor/Subcontractor

### REMINDER

**THIS WEEKLY STATEMENT OF COMPLIANCE, ALONG WITH OTHER EMPLOYEE PAYROLL RECORDS, MUST BE RETAINED BY THE CONTRACTOR OR SUBCONTRACTOR FOR THREE YEARS IN ACCORDANCE WITH FEDERAL REGULATIONS**

*Distribution: TVA's Contract Officer (This TVA Contract Officer is also to maintain these weekly statements for 3 years from date of completion of this contract.)*

# **Exhibit RW - WAGE SCHEDULE – Right of Way Clearing and Maintenance for 1851s**

Effective First Pay Period Beginning After January 1, 2006

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**Scope of work covered:** *This document identifies the total wage package (wages plus fringe benefit contributions) to be paid to the employees of contractors performing right of way clearing for TVA.*

**Notice to Employees:** *If you do not receive at least the total of the amounts of pay provided in this document, you should contact your supervisor or your payroll office. If these individuals are unavailable, you may write to TVA's Labor Relations Staff, 400 West Summit Hill Drive (WT 8B), Knoxville, Tennessee 37902-1499, where the matter will be held in confidence.*

## **Right-of-Way Clearing**

Right-of-Way Ground Crewman Trainee (first 3 months)	10.42
Right-of-Way Ground Crewman	12.77
Right-of-Way Crewman	13.81
Right-of-Way Crew Leader	16.16
 Fringe Benefits (Medical care and retirement plans)	 1.20

## **ENDNOTES**

1. The rate of contributions to fringe benefit funds is paid at the straight-time rate even during overtime hours worked. During overtime, only the hourly wage rate is multiplied by the overtime multiplier. In other words, the established rate of contributions to fringe benefit funds is paid for hours worked and not hours paid.

## **Right-Of-Way Ground Crewman**

### **MAJOR RESPONSIBILITIES**

May perform any or all of the following activities in support of transmission line right-of-way clearing:

1. Loads and unloads assigned truck with tools and equipment.
2. Operates chain saw in trimming/cutting trees and brush on the ground.
3. Trims trees and cut bushes and trees with hand tools or saw.
4. Plans cuts of limbs and full trees to insure proper fall without damage to property or power lines.
5. Flag traffic and put out traffic cones as assigned by crew leader.
6. Applies herbicides as instructed by crew leader
7. Cleans up debris, removes cut bushes and trees where required on completed jobs. Feeds chipper/shredder. Is always alert to prevent the spread of fires when burning debris.
8. Maintains tools and equipment in good working order.
9. Exercises caution and safety procedures in the operation of all tools and equipment.
10. Learns and practices first aid.

### **TOOLS USED**

Wedge, axe, chain saw, brush chipper, stump grinder, kaiser blade, hand pruners, shovel, maul, sledge hammer, block and rope, extendo stick, extendo saw and similar tools to remove or control trees and brush.

## **Right-Of-Way Crewman**

### **MAJOR RESPONSIBILITIES**

May perform any or all of the following activities in support of transmission line right-of-way clearing:

1. Loads and unloads assigned truck with tools and equipment.
2. Operates chain saw in trimming/cutting trees and brush.
3. Climbs trees using tree belts, hooks and saddles for the purpose of trimming/cutting.
4. Plans cuts of limbs and full trees to insure proper fall without damage to property or power lines.
5. Operates farm tractor with attachments such as bush hog.
6. Mixes and applies herbicides as instructed by crew leader
7. Cleans up debris, removes cut bushes and trees where required on completed jobs. Feeds chipper/shredder. Is always alert to prevent the spread of fires when burning debris.
8. Maintains tools and equipment in good working order.
9. Exercises caution and safety procedures in the operation of all power driven equipment.
10. Learns and practices first aid.
11. A Class B Commercial Driver License (CDL) maybe required.

## **TOOLS USED**

Wedge, axe, chain saw, brush chipper, stump grinder, kaiser blade, hand pruners, shovel, maul, sledge hammer, block and rope, extendo stick, extendo saw, climbing tools, tree belts, hook and saddles, hand line, assigned motorized equipment such as farm tractor with attachments, and similar tools to remove or control trees and brush.

## **Right-Of-Way Crew Leader**

### **MAJOR RESPONSIBILITIES**

May perform any or all of the following activities while providing supervision and directing the work of a crew engaged in transmission line right-of-way clearing:

1. Loads and unloads assigned truck with tools and equipment. Operates right of way equipment, including bucket truck.
2. Operates chain saw in trimming/cutting trees and brush. From bucket truck, trims trees and cuts bushes. Trims/cuts trees around energized lines.
3. Climbs trees using tree belts, hooks and saddles for the purpose of trimming/cutting.
4. Plans cuts of limbs and full trees to insure proper fall without damage to property or power lines.
5. Operates farm tractor with attachments, bulldozer, trackhoe, skidder, tree machines and any equipment used to chip, haul, burn, load, cut, or pile brush and trees.
6. Directs crew in chemical spray mixing and herbicide application.
7. Cleans up debris, removes cut bushes and trees where required on completed jobs. Is always alert to prevent the spread of fires when burning debris.
8. Maintains tools and equipment in good working order.
9. Exercises caution and safety procedures in the operation of all power driven equipment.
10. Learns and practices first aid. Must be able to perform pole top rescue.
11. A Class B Commercial Driver License (CDL) maybe required.

## **TOOLS USED**

Wedge, axe, chain saw, brush chipper, stump grinder, kaiser blade, hand pruners, shovel, maul, sledge hammer, block and rope, extendo stick, extendo saw, climbing tools, tree belts, hook and saddles, hand line, and motorized equipment such as farm tractor or small bulldozer, and similar tools to remove or control trees and brush.